

**From:** [Coleman, Sam](#)  
**To:** [McQuiddy, David](#)  
**Subject:** Fw: Q/As  
**Date:** Thursday, April 18, 2013 12:49:27 PM

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From: Gray, David  
Sent: Thursday, April 18, 2013 12:08:34 PM  
To: Coleman, Sam  
Subject: Q/As

1. Does EPA regulate fertilizer; if not, is it a state responsibility?

EPA regulates ammonia, an ingredient in fertilizer manufacturing, under the Chemical Accident Prevention Provisions at 40 CFR Part 68. States may also have their own requirements.

2. What enforcement actions has EPA taken against this plant; how do we get a copy?

The facility is subject to the Chemical Accident Prevention provisions at 40 CFR Part 68 because the quantity of ammonia on-site exceeds 10,000 lbs. It has not had a major accident in the last five-years.

EPA conducted an inspection of the Risk Management Plan at West Chemical and Fertilizer on March 16, 2006. At that time, inspectors identified deficiencies including:

- Failure to update its RMP in a timely manner. The update was due in 2004, but wasn't updated until 2006.
- Failure to document that hazards identified in the hazard review had been addressed.
- Operating procedures failed to address consequences of deviation.
- Poor employee training records.
- The company had not developed a formal written maintenance program.
- The facility was fined \$2,300.00 on August 14, 2006 and the company certified they corrected the deficiencies.

The facility submitted last submitted an updated plan in 2011.

3. What is EPA doing on the scene for emergency response?

At the request of the state, and in coordination with FEMA and other federal agencies, EPA's Region 6 has deployed 2 OSCs, 8 contractors and the mobile command post to the site. Additional OSCs and contractors are on standby. Air monitoring will be conducted. The OSCs will coordinate with TCEQ and multiple state and local partners on the response.

4. What might the explosion mean in terms of air quality?

We are continuing to monitor air quality and will update information as soon as possible.

5. Is there a risk management plan for the facility? How do we see it? –

Yes, West Fertilizer has submitted a Risk Management Plan (copy attached).

6. In a sentence, what is the purpose of risk management plans?

Risk management plans describe the ways in which a facility reduces the likelihood of accidental releases of extremely hazardous substances and their plans for dealing with any accidental releases which may occur.

7. What are the potential health threats from the explosion?

We are unable to determine the potential health threats from the explosion at this time. We will continue to monitor the situation.

8. How do we see a copy of the complaint or enforcement action? – Checking with region 6.